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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,904	06/26/2003	John McDonough	08575-074001	5680
26161	7590	03/10/2005	EXAMINER	
FISH & RICHARDSON PC 225 FRANKLIN ST BOSTON, MA 02110			PWU, JEFFREY C	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/606,904

Applicant(s)

MCDONOUGH ET AL.

Examiner

Jeffrey Pwu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Title***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 is vague and indefinite because it is unclear how to enable a user to select various entities and/or how to enable a user to provide access information.
4. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 8 is vague and indefinite because it is unclear what is a competition relation.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

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subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-41 are rejected under 35 U.S.C. 102(e) as being unpatentable by Sheth et al. (US 2002/0194502).

Sheth et al. disclose a system and method comprising:

determining, by a first entity (a grantor) and using data associated with a user, a list of one or more other entities that provide network-accessible accounts (Host Server 1010);

enabling the user to select a second entity from the list of one or more other entities (paragraph [0020]; “Using the visitation access codes to selectively grant visitation access to one or more of the grantor’s view pages to one or more of the grantees...”); and  
enabling the user to provide access information for a network-accessible account that is provided by the second entity (paragraph [0020]; also see related “access code”).

wherein determining the list further comprises determining personalization data associated with the user (paragraph [0019]-[0022], hereinafter [0019]-[0022]).

wherein the personalization data includes a characteristic shared by a pre-defined group of users ([0019]-[0022]).

wherein the characteristic comprises one of a geographical location, a type of computer, a type of operating system, a pattern of web navigation, and an amount of money in a financial account ([0019]-[0022]; [0045]-0058]).

wherein determining the personalization data further comprises: providing a personalization test to the user; and analyzing one or more answers of the user from the personalization test (paragraph [0045]-0058]).

wherein determining the personalization data further comprises automatically collecting a

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characteristic associated with the user ([0045]-[0058]).

wherein enabling the user to select a second entity further comprises displaying the list of one or more entities to the user ([0052]).

wherein determining further comprises determining one or more entities that have a relation to the first entity (paragraph [0020]; “Using the visitation access codes to selectively grant visitation access to one or more of the grantor's view pages to one or more of the grantees...”).

wherein determining one or more entities that have a relation to the first entity further comprises: identifying the one or more entities that have the relation to the first entity; and ordering the list based on the relation ([0020]).

wherein the relation comprises competition ([0396]).

wherein the relation comprises a partnership ([0396]).

wherein the access information comprises: a user identifier for the account; and an account authenticator ([0100]).

wherein the access information for the network-accessible account makes the network-accessible account automatically accessible over a network (abstract).

wherein the data about the user comprises at least one of a name, a geographic location, a computer system used by the user, and a history of web-navigation ([0100]).

wherein the data associated with the user comprises information about the accounts provided by the first entity ([0086]).

wherein the information comprises a balance of a first account provided by the first entity

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([0138]).

adding the network-accessible account to an aggregation of accounts ([0388], [0203], [0360]).

enabling the user to select a first account provided by the first entity; and adding the first account to the aggregation of accounts ([0388], [0203], [0360]).

wherein the first entity comprises a financial institution, the method further comprising providing, by the first entity, one or more financial accounts to the user ([0392]).

wherein enabling the user to select a second entity further comprises enabling the user to select a second entity comprising a financial institution from the list of one or more entities that provide financial accounts (second grantor).

wherein enabling the user to select a second entity further comprises enabling the user to select a second entity from the list of one or more entities that provide email accounts, frequent flier accounts, or calendar accounts (paragraph [0020]).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Pwu whose telephone number is 571 272-6798. The examiner can normally be reached on 7:45-6:15.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



March 3, 2005

JEFFREY PWU  
PRIMARY EXAMINER